

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Mar 02, 2023**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nicole Centers

Case Number: 0980 1:21CR02037-SAB-1

Address of Offender: [REDACTED] Ellensburg, Washington 98926

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: June 22, 2022

Original Offense: Theft of Mail, 18 U.S.C. § 1708

Original Sentence: 4 years Probation

Type of Supervision: Probation

Asst. U.S. Attorney: Ann Wick

Date Supervision Commenced: June 22, 2022

Defense Attorney: James D. Kirkham

Date Supervision Expires: June 21, 2026

PETITIONING THE COURT

To issue a warrant.

On June 27, 2022, the probation conditions were reviewed by Ms. Centers indicating an understanding of her conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

Special Condition # 5: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervision officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Ms. Centers is considered to be in violation of her probation conditions by consuming methamphetamine between December 22, 2022, and February 22, 2023.

On February 23, 2023, Ms. Centers reported to the probation office and admitted to consuming methamphetamine, three to four times per week, since December 22, 2022 through February 23, 2023. She signed a drug use admission form confirming her use of methamphetamine.

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- 2 **Special Condition #5:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervision officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Ms. Centers is considered to be in violation of her probation conditions by consuming marijuana on or about February 9, 2023.

On February 23, 2023, Ms. Centers reported to the probation office and admitted to consuming marijuana on February 9, 2023. She signed a drug use admission form confirming her use of marijuana. She also provided a presumptive positive drug test for the presence of marijuana that was sent to the laboratory for confirmation.

- 3 **Special Condition #5:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervision officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Ms. Centers is considered to be in violation of her probation conditions by failing to report for random drug testing on December 12, 21, 28, 2022; and January 24, February 7 and 16, 2023.

U.S. Probation received noncompliance reports from Merit Resources Services (Merit), stating Ms. Centers failed to report for her color line drug tests on the above dates. On February 23, 2023, Ms. Centers was confronted with noncompliance reports from Merit and she admitted that she failed to call the color line and did not report for her drug tests as required.

- 4 **Special Condition #4:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Ms. Centers is considered to be in violation of her probation conditions by being terminated from outpatient treatment at Merit on February 28, 2023.

On February 28, 2023, Merit staff informed U.S. Probation that Ms. Centers refused to sign documents for her to be referred for inpatient treatment. Based on Ms. Centers not following the recommendation of Merit, she was discharged from outpatient treatment at Merit.

- 5 **Mandatory Condition #9:** If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment.

Supporting Evidence: Ms. Centers is considered to be in violation of the judgement by failing to pay make payments on her restitution fine since October 4, 2022.

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Pursuant to Ms. Centers judgment, she is required to pay not less than \$25 per month or 10% of the defendant's net household income, whichever, is larger, commencing 30 days after the defendant is released from imprisonment. On June 27, 2022, Ms. Centers signed a fine/assessment/restitution agreement form, agreeing to pay \$30 per month towards her assessment and restitution beginning in August 1, 2022.

Ms. Centers made a \$100 payment on August 1, 2022, and made a \$200 payment on October 4, 2022. She has not made any payments since October 4, 2022, and her outstanding balance toward her Court ordered restitution is \$1,062.02.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring Nicole Centers to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 2, 2023

s/Phil Casey

Phil Casey
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

3/2/2023

Date